



FOR IMMEDIATE RELEASE

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## CARDIN, MIKULSKI URGE ARMY CORPS OF ENGINEERS TO EXPEDITE OYSTER AQUACULTURE PERMITS

WASHINGTON – U.S. Senators Ben Cardin and Barbara A. Mikulski (Both D-MD), made a personal appeal to the U.S. Army Corps of Engineers today for it to streamline the permit process for oyster aquaculture. Both during a meeting on Capitol Hill and in a letter, the Senators expressed their support for a General Permit for Maryland waters, which would be used in lieu of individual permits. General Permits are used when a number of similar conditions need to be met and the risk of environmental harm relatively low. If the applicant can satisfy the basic requirements, permitting is faster, more predictable and administratively easier to manage.

"We believe that oyster aquaculture has the potential to yield numerous benefits in the Maryland portions of the Chesapeake Bay and its tidal waters," **the Senators said** in their letter. "We are now ready to embark upon a new chapter in the oyster restoration effort. We call upon you to meet that challenge by quickly putting in place a General Permit that is flexible enough to accommodate almost all aquaculture operations and streamlined enough to encourage its use. "

The Senators called upon the Corps to develop a "one-stop shop" system that is user-friendly and would allow oyster farmers to go the State to obtain all the permits they would need, including the General Permit from the Corps. Under Governor O'Malley, Maryland is making a concerted effort to promote oyster aquaculture as a sustainable alternative to wild harvesting of oysters from the public waters of the Chesapeake. Virginia has been promoting aquaculture for more than a decade and most of the oyster harvest in Virginia now comes from these licensed operations. They are profitable and allow the state to provide stronger protections to natural oyster reefs, which are recovering.

A copy of the letter to the U.S. Army Corps of Engineers follows:

March 1, 2011

Colonel David Anderson  
District Engineer  
Baltimore District  
U.S. Army Corps of Engineers  
P.O. Box 1715

Baltimore, Maryland 21203

Dear Colonel Anderson:

Native oysters are a vital part of the Chesapeake ecosystem as well as our economy and our culture. We have been strong supporters of efforts to restore this essential species, and we appreciate the work that the Corps of Engineers has done in this regard.

Oyster aquaculture holds great promise for restoring the fishery while also improving water quality and providing essential habitat for other species. The Corps has proposed an Oyster Aquaculture Regional General Permit and will be accepting public comments until March 15. We encourage the Corps to continue this process with the goal of finalizing the General Permit for use by May 1, 2011. This timing will allow those interested in pursuing a General Permit to do so with sufficient time to begin their operations this growing season. Similarly, we request that the Corps continue to process existing individual permit applications with all deliberate speed with the goal of issuing permits to all current individual applicants by May 1, 2011, provided they meet appropriate conditions.

We believe that oyster aquaculture has the potential to yield numerous benefits in the Maryland portions of the Chesapeake Bay and its tidal waters. We encourage you to move forward with your regulatory process in a speedy but considered fashion. Numerous other Corps Districts have adopted General Permits for oyster aquaculture in other states, including the Norfolk District for the Virginia portions of the Chesapeake. We should be able to take advantage of their experiences to put in place a protective but user friendly permit system in short order.

Over the last decade, the Federal Government has made substantial investments in oyster restoration in the Chesapeake Bay. The Corps led a robust inter-agency, multi-state study of the non-native oyster. That effort culminated in a Record of Decision for the Programmatic Environmental Impact Statement. Among the key recommendations was a strong endorsement of using native oysters to achieve the goal of an economically sustainable fishery. To achieve that end, we must have a permitting program that supports a flourishing native oyster aquaculture industry.

Both the Corps and NOAA have spent considerable time and Federal funding in re-building oyster reefs and developing disease-resistant oysters. We are now ready to embark upon a new chapter in the oyster restoration effort. We call upon you to meet that challenge by quickly putting in place a General Permit that is flexible enough to accommodate almost all aquaculture operations and streamlined enough to encourage its use. Permits should be managed primarily through the Maryland Department of Natural Resources, providing oyster farmers with a "one-stop shop" for all their permitting needs.

We look forward to working with you to continue the restoration of this key species and the overall recovery of the Chesapeake Bay. Please do not hesitate to contact us if we can provide additional information about this issue or any of the other issues that are important to the mission of the Baltimore District.

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